

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 20553 of 2001

Between:

- 1 S. Siva Prasada Rao, S/o Ranga Das, R/o Karimnagar.
- 2 S.Santha Kumari, W/o. Siva Prasada Rao, R/o Karimnagar.

..... PETITIONERS

AND

- 1 The APSRTC, rep. by its Vice Chairman, and Managing Director,
Musheerabad, Hyderabad.
- 2 The Depot manager, APSRTC, Karimnagar II Dept., Karimnagar.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction preferably one in the nature of writ of mandamus, to declare the action of the respondents in stopping the payments due to the petitioners as per the agreements for hiring of the vehicles without any notice is arbitrary, illegal and violative of principles of natural justice and further direct the respondents to make payments regularly.

Counsel for the Petitioners: SMT.M.VINOBHA DEVI

Counsel for the Respondents: SMT.P.RAJAN (STANDING COUNSEL FOR APSRTC)

The Court made the following :

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ORDER:

Heard both sides.

It is represented by the learned Counsel for the petitioners that in the similar circumstances where there is dispute in regard to the distance on the basis of which the amounts have to be paid as claimed either way, this Court has given a direction in W.P.No.21377 of 2001 and batch dated 29-08-2002 for conducting a proper survey and accordingly determine amounts to which petitioners are entitled to.

Having regard to the above, this Writ petition is also disposed of directing the respondents herein to conduct the survey after notice to the petitioners and taking assistance from the R & B Department fix the amounts.

The Writ Petition is, accordingly, disposed of. No costs.

B.PRAKASH RAO, J.

Dated 08-11-2004.

SKMR

..... REGISTRAR

To

1 The Vice Chairman and Managing Director, APSRTC,

Musheerabad, Hyderabad.

2 The Depot manager, APSRTC, Karimnagar II Dept., Karimnagar.

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